# THE MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE

## ANNUAL REPORT 1985

Manitoba

Telephone: 945-2491

# THE MANITOBA LABOUR MANAGEMENT REVIEW COMMITTEE

Room 606 Norquay Building Winnipeg, Manitoba R3C 0P8

The Honourable Alvin H. Mackling, Q.C.
Minister of Labour
Province of Manitoba
Room 343
Legislative Building
WINNIPEG, Manitoba
R3C 0V8

Dear Mr. Mackling:

On behalf of the Manitoba Labour Management Review Committee, I have the honour to submit to you its Annual Report for the year ending December 31, 1985.

The Committee hopes the report will be informative and useful to members of the Legislative Assembly.

Yours truly,

G. C. MacLEAN, Q.C.
Chairperson
Manitoba Labour Management
Review Committee

# ANNUAL REPORT

# OF

# THE MANITOBA LABOUR-MANAGEMENT REVIEW COMMITTEE

## January to December, 1985

## ORIGIN AND BACKGROUND

The Manitoba Labour-Management Review Committee is commissioned to undertake a continuing and comprehensive review of labour legislation and labour-management relations in the Province.

This joint Committee, with equal representation from labour and management, came into being as the culmination of a process which began in 1963. Several joint labour-management seminars were held over a 12-month period which were designed to examine the main aspects of industrial relations in Manitoba. Labour and management representatives attended these sessions, and a consensus developed that the establishment of a permanent Committee representing both parties would make a valuable contribution to labour-management relations. In the Speech from the Throne of February, 1964, the government forecast action on this matter. Two months later the Committee was established and its existence was unanimously approved by a resolution of the Legislature.

## PURPOSE

The Joint Committee was designed to fulfill a two-fold purpose. First, it was charged with the specific responsibility of reviewing labour legislation as embodied in various Acts of the Manitoba Legislature. The second purpose was to undertake, at the Committee's own discretion, a far reaching examination of common problems. There was no thought that these problems would necessarily be solved, but rather that discussion would lead labour and management to a better understanding of each other's point of view. Ultimately, such an undertaking might lead to an intangible, but virtually important improvement, in labour relations within the Province. There is agreement that progress has been made on both fronts.

## STATEMENT OF PRINCIPLES

The principles which have guided the Committee in attempting to fulfill its purposes, adopted early in the Committee's history are as follows:

> That labour members have the obligation to look after the labour interests; that management members have the obligation to look after management interests; that each member should be prepared to co-operate with the Chairman and other members of the committee and should have a sense of responsibility to process itself, an attitude of integrity and good faith; that each member should approach the work with the intention of giving it honest support and effort, with the flexibility of mind and patience, avoiding prejudging; listening and evaluating carefully, in an attempt to understand the position of others and;

That within the framework of the foregoing, the Committee should give recognition to the importance of legislation which protects fundamental rights and freedoms of employees, employers, unions and employers' associations, and enforcement provisions designed to induce appropriate patterns of behaviour in labour relations.

## MEMBERSHIP AND METHODS OF OPERATION

The Committee functions at various levels and through the operation of several groups.

From its inception until 1975, the membership of the Committee consisted of a Chairperson, a Vice-Chairperson and an equal number of labour and management members, nominated by several sponsoring groups. The Manitoba Federation of Labour was asked to name 12 labour representatives to the Committee. Organizations representative of management - The Manufacturers' Association, The Chamber of Commerce, the Mining Association of Manitoba Incorporated, and the Winnipeg Construction Association (Winnipeg Builders' Exchange) were asked jointly to name 12 members. In 1975, the Committee's membership was more than doubled to include representatives of employees and employers in various public service areas of the Province, including the Provincial civil service, Crown corporations, health care facilities, public schools, universities and municipal government, including fire and police services. The expanded Committee also included representatives of agencies such as the Civil Service Commission, the University Grants Commission, and the Manitoba Health Services Commission which are

representative neither of the employer nor the employee side, but nonetheless are interested in labour-management relations and the collective bargaining process in the public sector. The sponsoring groups are asked periodically to review their membership on the Committee and to name replacements as required. Nominations for membership on the Committee are submitted to the Minister of Labour for endorsement before informing the nominees of their formal appointment.

Meetings of the whole Committee are held at the discretion of the members.

Until September of 1982, a Sub-Committee, consisting of six labour and six management members equally representative of both the private and public sectors, existed to facilitate discussion of matters in detail and to plan the Committee's work within the guidelines established by the Committee as a whole. This group met more frequently and reported its recommendations to the whole Committee, for approval, rejection, or amendment.

The Committee also operated through two panels - one consisting of all the private sector labour and management members, the other of all representatives from the public services and agencies. The intent was to enable members to concentrate on their special areas of interest. Recommendations from either of these panels were reviewed by the Sub-Committee and were subject to final consideration by the whole Committee.

Following a review by the Sub-Committee of the existing Committee structure in 1980, two main objectives materialized: to reduce the unwieldly size of the Committee, while retaining its broad representative structure; and to simplify the structure itself.

In mid 1982, the Sub-Committee approved and forwarded to the Minister of Labour, a proposal providing for eleven sectors, with ten specific industrial sectors and one sector representing labour and management-at-large. Labour and management from each sector were asked to provide a nominee to the main Committee, for a total of twenty-two members.

In 1983, representation for ten sectors - Provincial Public Service, Schools, Labour and Management-At-Large, Mining and Processing, Manufacturing, Health, Construction, Municipal Public Service, Trade and Service, and Utilities - had been nominated and appointed. The Universities sector has yet to find appropriate representation.

Several working groups or sub-committees have been dealing with specific industrial sector-related issues or concerns. The Sub-Committee on Disclosure and Technological Change issues is examining matters as they relate to plant closings, disclosure and changes due to recent technological advances in the micro-electronics field.

The Committee has felt since its inception that, in general, free and frank discussions would be assisted if meetings were held in camera.

The minutes of the meetings and the reports of working groups are, therefore, confidential to members of the Committee and their alternates - no members are named in the proceedings. Formal communications with the government or outside groups is carried on at the discretion of the members.

From time to time the Committee decides to examine issues of broad interest to labour and management and, therefore, organizes seminars or conferences to which other interested individuals and groups are invited. The proceedings of these conferences are published when they are felt to be of lasting value and of interest to a wide readership.

The Committee is assisted in its work by the research facilities of Manitoba Labour. A staff person of Manitoba Labour also functions as the Committee's secretariat. In addition, the Department provides financial support for committee conferences and for engaging outside experts to prepare studies or to address the Committee to assist it in gaining knowledge and perspective on particular problems.

When the Committee arrives at a decision, with majority support from each side, the recommendations for action are then forwarded to the government or the appropriate body. Such recommendations may or may not be made public at the Committee's discretion.

Labour and management members serve voluntarily on the Committee without renumeration for the time they devote to its work.

## COMMITTEE ACTIVITIES - 1985

The Committee undertook and completed a number of projects in 1985. Among those were:

(1) Training of Arbitrators:

In its report of 1984, the Committee indicated that a final report on the training of arbitrators had been submitted to the Minister of Labour. Following up on that report the Minister has agreed to the establishment of an Arbitrator Advisory Committee composed of three representatives from management and three from labour with a chairperson to be chosen by these representatives from among the chair and vice-chairs of the Manitoba Labour Board. This Committee will be responsible for advising the Minister on matters relating to arbitrator training.

The Labour Management Review Committee will be recommending labour and management representatives to serve on the Committee.

(2) Essential Services in Health Care Facilities:

In 1983 the Committee reported on the signing of a memorandum of agreement with respect to maintenance of essential services in health care facilities. As provided for in the umbrella agreement, these facilities and all related unions have since then been negotiating individual, detailed, essential services agreements. A number of these agreements have been signed and negotiations are continuing on a number of others. A list of agreements signed to date is given in Appendix A.

Issues have arisen in the course of implementing some essential service agreements. These concerns have been referred to the health sector working party for clarification.

In addition, a number of institutions that were not signatory to the memorandum of agreement, have expressed an interest in pursuing the question with their respective unions. Arrangements have been made to facilitate such discussions.

## CONSTRUCTION REVIEW SUB-COMMITTEE

Although the Construction Review Sub-Committee held few meetings during the year, it remains important that the members be available to deal with problems as they develop in the industry in order to ensure continued harmonious relationships between labour and management.

## ACKNOWLEDGEMENTS

The Committee would like to express its appreciation to the staff of Manitoba Labour for the secretarial assistance they provided this past year.

## APPENDIX A

ESSENTIAL SERVICES AGREEMENTS

IN HEALTH CARE FACILITIES

SIGNED TO DATE

## ESSENTIAL SERVICE AGREEMENTS

| | |
|---|---|
| CONCORDIA GENERAL HOSPITAL | - Manitoba Paramedical Association |
| | - Manitoba Organization of Nurses' Association |
| GRACE GENERAL HOSPITAL | - Manitoba Organization of Nurses' Association |
| HEALTH SCIENCES CENTRE | - Canadian Union of Public Employees, Local 1550 |
| | - Canadian Union of Public Employees, Local 1550 (X-Ray Technologists Component) |
| | - Manitoba Organization of Nurses' Association |
| | - Manitoba Government Employees Association (Department of Social Work) |
| | - International Union of Operating Engineers, Local 827 |
| | - International Union of Operating Engineers, Local 827 (Dialysis Technologist Component) |
| | - Manitoba Paramedical Association |
| MISERICORDIA GENERAL HOSPITAL | - Manitoba Organization of Nurses' Association |
| CITY OF WINNIPEG MUNICIPAL HOSPITALS | - Manitoba Organization of Nurses' Association |

| | |
|---|---|
| ST. BONIFACE GENERAL HOSPITAL | - Manitoba Food & Commercial Workers, Local 832 |
| | - Manitoba Organization of Nurses' Association |
| SEVEN OAKS GENERAL HOSPITAL | - Manitoba Organization of Nurses' Association |
| | - Manitoba Paramedical Association |
| VICTORIA GENERAL HOSPITAL | - Manitoba Organization of Nurses' Association |
| | - Manitoba Government Employees Association (Maintenance Employees & Powerhouse Engineers) |
| | - Manitoba Paramedical Association |
| | - Manitoba Government Employees Association (Institutional Employees Union Component) |
| WESTMAN REGIONIAL LABORATORY SERVICES INC. (Brandon) | - Manitoba Paramedical Association |

## APPENDIX B

COMMITTEE MEMBERSHIP

AND

WORKING PARTY MEMBERSHIPS

## COMMITTEE MEMBERSHIP

### SECTOR

| MANAGEMENT | | LABOUR |
|---|---|---|
| Paul Hart | Provincial Public Services | Gary Doer |
| Ray Whiteway | Schools | Wally Pindera |
| David Newman | Labour/Management-at-Large | Wilf Hudson |
| Winton Newman | Mining and Processing | Eugene Laye |
| David Negus | Manufacturing | Bob Biggar |
| Doug Machan | Health | Irene Giesbrecht |
| Lloyd Simmons | Construction | Leo Desilets |
| Rick Boyd | Municipal Public Service | Keith Norton |
| John Perrin | Trade and Service | Bernard Christophe |
| | Utilities | Bob Sproule |
| | Universities | |

| | |
|---|---|
| Chairperson | G. Campbell MacLean |
| Vice-Chairperson | John Atwell |
| Secretary | Dave Dyson |
| Government Representative | Maurice C. Eyolfson |

## Hospital Sector Working Party
- for Essential Service Agreement

| Labour | Management |
|---|---|
| Clive Derham | L.A. Quaglia |
| Gary Doer | A. Rodney Thorfinnson |
| Irene Giesbrecht | Ted Bartman |

Chairperson — G. Campbell MacLean
Vice-Chairperson — John Atwell

### Sub-Committee - Health

| Labour | Management |
|---|---|
| Irene Giesbrecht | Doug Machan |

### Sub-Committee - Schools

| Labour | Management |
|---|---|
| Wally Pindera | Ray Whiteway |

### Sub-Committee - Manufacturing

| Labour | Management |
|---|---|
| Bob Bigger | David Negus |

## Sub-Committee on Disclosure and Technological Change Issues

| Labour | Management |
|---|---|
| Eugene Laye | David Negus |
| Bob Biggar | Don Henderson |
| Chris Monk | Winton Newman |
| Bruno Zimmer | Buddy Brownstone |
| Bernard Christophe | Bob May |
| William Halko | Saul Scott |

Chairperson John Atwell

## Sub-Committee on the Training of Arbitrators

| Labour | Management |
|---|---|
| Wally Pindera | Ray Whiteway |
| Bernard Christophe | David Newman |
| Keith Norton | Doug Machan |

Chairperson John Atwell

## Sub-Committee - Labour/Management-At-Large

| Labour | Management |
|---|---|
| Wilf Hudson | David Newman |

## Sub-Committee - Construction

| Labour | Management |
|---|---|
| Leo Desilets | Robert Glass |
| William Iverson | Maurice Steel |
| G. Dobbie | Paul Herriot |
| Jerry Bentley | H. Rattai |
| Art Cameron | Cliff Olson |

G. Campbell MacLean
John Atwell
Maurice Eyolfson
William Blankenship